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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of )  
Applicants: Carlo Filippo Ratti et al. )  
Serial No. 10/696,474 ) Examiner: Michael A. Newman  
Filed: October 29, 2003 ) Art Unit 2624  
Title: Method and apparatus for visualizing )  
Volumetric data using deformable physical )  
Object )

Renewed Petition under 37 CFR 1.137(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The DECISION ON PETITION mailed on October 8, 2010 required additional information concerning the abandonment and the delay in filing the revival petition for the above-identified application.

Introductory statement

This application was prepared and filed by the undersigned, Charles G. Call, who was solely responsible for the handling of this application from the time of its filing to the present. I am the person, and the only person, having first-hand knowledge of the circumstances surrounding the delay in filing the response to the outstanding action and the delay in filing the petition to revive. As discussed below, I was unaware of the outstanding Office Action that resulted in the abandonment, or that the application had become abandoned, until August, 2010 when the revival petition was filed. I had no communications with anyone regarding filing or not filing a response. I was never instructed not to file, or to delay the filing, of any paper in connection with this application. The responsibility for filing a response to the outstanding Action, and for filing the

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petition to revive, was mine alone. It was always my intent to timely take any action necessary to advance the prosecution of this application.

**Period (1); the delay in reply that resulted in the abandonment**

My file does not indicate that I ever received or was aware of either the Office Action which resulted in the abandonment at any time prior to discovering the abandonment in August, 2010, shortly before the revival petition was filed, and I no memory of being aware of the existence of the Office Action until that time. I do not know why the Office Action was not received or, if it was received, properly filed and docketed for attention in accordance with my usual practice. The Action was properly addressed to me at 215 West Huron St., Apt. 2, Chicago, IL, which was the correct address at the time. I can state that I failed to receive mail directed to that address on numerous occasions, but it is also possible that it the Action mislaid or mishandled after it was received. My files contain nothing to indicate that the Action was received and docketed for attention, and I have no memory of ever being aware that the Action had issued until I became aware of the abandonment in August, 2010.

I can state unequivocally that the delay in the entire delay in filing the response was unintentional.

**Period (2); the delay in filing the initial petition**

My file also fails to indicate that I ever received the Notice of Abandonment. That notice was correctly addressed to me at 20 E. Goethe St, CH1, Chicago, IL but I have no record of having received it. My office at the time was in a separate "coachhouse" building at the rear of a large apartment building at 20 E. Goethe St. It is believed that postal delivery persons frequently failed to properly locate the correct mailbox for "CH1" because all of the other units had box locations designated by apartment numbers. As a result, mail directed to "CH1" was frequently simply left on the floor with other mail that had no proper box number. Had I become aware of the receipt of a Notice of Abandonment, I would have acted promptly to supply the missing response; consequently, it is my belief that I did not receive the abandonment notice. I did not become aware of the abandonment until August, 2010, shortly before the original petition was filed.

In any case, I can again state unequivocally the entire delay in filing the petition to revive along with the required response to the outstanding action was unintentional.

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**The delay in discovering the abandonment**

As noted above, it is my belief that I did not receive either the office action or the notice of abandonment, and was thus unaware that the application had become abandoned. It is my belief that I mistakenly concluded that this application had issued because, in checking the file, I mistakenly believed that this application has already issued because I confused this application with a related application that was filed as a continuation in part of this application and issued as 7,181,363 on February 20, 2007. As a result, I mistakenly concluded that this application had issued when in fact it was the child application that had issued. I did not discover this error until approximately August 1, 2010. I obtained a copy of the outstanding action from PAIR and filed the missing response and the revival petition thereafter on August 4, 2010.

**The Address of Record for this Application**

The DECISION ON PETITION was correctly mailed to the address of record for this application (i.e. the address of record for USPTO Customer No. 021253): 361 Wild Coffee Ln., Marco Island, FL 34145-1849. All further correspondence should continue to be sent to that address.

**Conclusion**

The delay in filing the response and the revival petition occurred while I was exclusively responsible for handling the above-noted application and was unintentional for the reasons given above. It is respectfully requested that this renewed petition be granted.

Respectfully submitted,



Dated: December 8, 2010

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Charles G. Call, Reg. 20,406

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**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this Renewed Petition under 37 CFR 1.137(b) is being transmitted by facsimile to the central facsimile number of the U.S. Patent and Trademark Office, (571) 273-8300, on December 8, 2010.

Dated: December 8, 2010

Signature



Charles G. Call, Reg. No. 20,406  
USPTO Customer No. 021253  
361 Wild Coffee Ln.  
Marco Island, FL 34145-1849  
Ph. (239) 970-0258 Fax (312) 277-3320